

Rule 506. Service of Complaint

A. The magisterial district judge shall serve the complaint by mailing a copy of it to the defendant by first class mail and by delivering a copy of it for service to the sheriff of, or any certified constable in, the county in which the office of the magisterial district judge is situated. If this service is not available to the magisterial district judge, service may be made by any certified constable of the Commonwealth. The officer receiving the copy shall serve it by handing it to the defendant or to an adult person in charge for the time being of the premises possession of which is sought to be recovered or, if none of the above is found, by posting it conspicuously on the premises.

B. The copy shall be served at least five days before the hearing.

Note: Under subdivision A of this rule, service must be made both by first class mail and delivery for service in the manner prescribed. **In actions where wage garnishment may be sought under Pa.R.C.P. No. 3311, the plaintiff may authorize the sheriff or constable to make personal service upon a tenant/defendant. If a tenant/defendant is not present at the property the sheriff or constable is authorized to post the complaint so that the underlying landlord-tenant action may proceed. The plaintiff may authorize the sheriff or constable to make additional attempts to effectuate personal service upon the tenant/defendant so the plaintiff can later prove such service if attempting to garnish wages under Pa.R.C.P. No. 3311. Additional service attempts by the sheriff or constable may result in additional fees.**

Adopted Oct. 15, 1969, effective Jan. 1, 1970. Amended July 8, 1975, imd. effective; Oct. 17, 1975, effective in 90 days; Jan. 29, 1976, effective in 30 days; April 25, 1979, effective in 30 days; June 30, 1982, effective 30 days after July 17, 1982; July 16, 2001, effective

Aug. 1, 2001; Jan 6, 2005, effective Jan. 29, 2005. **Amended June 2, 2008, effective June 9, 2008.**